

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

RESIDENTIAL FINANCE CORPORATION,
Plaintiff,

v.

JOHN W. GUMERSELL, JR., et al.,
Defendants.

Case No. 2:13-cv-01136
JUDGE EMDUND A. SARGUS, JR.
Magistrate Judge Terence P. Kemp

ORDER

This matter is before the Court for consideration of the Notice of Receivership and Suggestion of Stay. (ECF No. 15.) Pursuant to the Court's inherent authority to control the disposition of its cases,¹ the court **GRANTS** the motion and **STAYS** this case pending action by the Franklin County Court of Common Pleas in Case No. 14CV-4415 (the "Receivership Case"). Specifically, this case is hereby stayed through the duration of the stay and injunction of all activity against the court-appointed receiver or Residential Finance Corporation set forth in paragraph 9 of the *Order Appointing Receiver* in the Receivership Case (the "Receivership Stay").

The Court therefore **DIRECTS** the Clerk to terminate the pending motion to dismiss (ECF No. 4) and **ADMINISTRATIVELY CLOSES** this case. This case and the motion to dismiss will be reactivated with the lifting of the stay. The parties must notify this Court within fourteen days of the date on which the Receivership Stay is lifted or the Receivership Case has concluded.

Pursuant to Local Rule 83.4(a) and for good cause shown, the Court **ORDERS** that Scott Burke is hereby **APPOINTED** as trial attorney for Defendants.

¹ See, e.g., *MVB Mortg. Corp. v. Fed. Deposit Ins. Corp.*, No. 2:08-cv-771, 2010 WL 2465228, at *1 (S.D. Ohio June 11, 2010) (citing *Landis v. N. Am. Co.*, 299 U.S. 248, 254-55 (1936)).

IT IS SO ORDERED.

9-5-2014
DATED


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE